

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JESSE TYRONE BUCHANAN,

Petitioner,

Case Nos. 2:21-CV-10683/2:21-CV-12934
HONORABLE VICTORIA A. ROBERTS

v.

J. HEMINGWAY,

Respondent.

/

ORDER CONSOLIDATING CASE ## 2:21-CV-10683/2:21-CV-12934

Jesse Tyrone Buchanan, (Petitioner), is a federal prisoner incarcerated at the Federal Correctional Institution in Milan, Michigan. In Case # 21-CV-10683, Petitioner filed a petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2241, claiming that he is entitled to good time credits on his current sentence under the First Step Act. In Case # 21-CV-12934, Petitioner claims that the Bureau of Prisons is calculating his different sentences to run consecutively to one another, in violation of the sentencing judge's order that the sentences run concurrently with one another. Respondent filed an answer to the petition in Case # 21-CV-10683 and a motion to dismiss in Case # 21-CV-12934.

Petitioner filed a motion to consolidate in Case # 21-CV-10683, which the Court denied because Petitioner did not have another case pending at the time. (ECF No. 11). Petitioner has now filed a second habeas petition in Case # 21-CV-12934.

Fed. R. Civ. P. 42 (a)(2) indicates that a district court may consolidate actions which “involve a common question of law or fact.” A court can consolidate two habeas applications into one action pursuant to Fed. R. Civ. P. 42, in the interests of time and judicial economy. *See Bernal v. Helman*, 958 F. Supp. 349, 351-52 (N.D. Ill. 1997).

Petitioner challenges his federal sentence in his two habeas petitions. The petitions are consolidated into one case; they share a common question of law or fact.

IT IS HEREBY ORDERED that:

Case ## 21-CV-10683 and 21-CV-12934 are consolidated.

Dated: 5/4/2022

s/ Victoria A. Roberts
Victoria A. Roberts
United States District Judge